

GUNTA LAW OFFICES, S.C.
ATTORNEYS AT LAW

June 27, 2019

Via ECF

Honorable Lynn S. Adelman
Eastern District of Wisconsin
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Re: Lori Turner v. Mark Ferguson, et al.
Case No. 18-CV-00815

Dear Judge Adelman:

The Defendants are in receipt of Plaintiff's Attorney, Andrew Shaw, letter to the Court dated June 27, 2019. In the letter Attorney Shaw states that the Defendants utilized "sharp practice" because they filed their dispositive motion on May 28, 2019, rather than May 26, 2019, the date set by the Court for the filing of dispositive motions. He goes on to state that the filing of Defendants' dispositive motion on May 28, 2019 is a violation of the Court's Order. This is simply incorrect.

Attorney Shaw's belief that the dispositive motions were due on Sunday, May 26, 2019, or for that matter on May 27, 2019, the legal holiday of Memorial Day, demonstrates either a frivolous communication to the Court or a complete ignorance of the Fed. R. Civ. P. 6.

The Fed. R. Civ. P. 6(a)(1)(C) is dispositive of this spurious issue created by Attorney Shaw.

Fed. R. Civ. P. 6. Computing and Extending Time; Time for Motion Papers

(a) Computing Time. The following rules apply in computing any time period specified in these rules, in any local rule or court order, or in any statute that does not specify a method of computing time.

(1) Period Stated in Days or a Longer Unit. When the period is stated in days or a longer unit of time:

(C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday. (*Emphasis added*)

Attorneys

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There is no doubt that the Defendants filing of their dispositive motions on May 28, 2019, the next filing day after a Sunday and legal holiday, made the filing in complete conformance with Fed. R. Civ. P. 6.

Defendants are not requesting fees for having been compelled to respond to Attorney Shaw's misguided letter dated June 27, 2019.

Very truly yours,

/s/ Gregg J. Gunta

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